<u>REMARKS</u>

Claims 1-are currently pending. Reconsideration of this application is respectfully requested.

Claims 1-20 are pending in the application. Claims 1-13, 15, 16, and 20 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over U.S. Patent No. 6,665,711 to Boyle et al. (hereinafter "Boyle") in view of U.S. Patent No. 6,584,098 to Dutnall (hereinafter "Dutnall"). Claim 14 stands rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Boyle and Dutnall in view of U.S. Patent No. 6,643,650 to Slaught er et al. (hereinafter "Slaughter"). Claims 17-19 stand rejected under 35 U.S.C. § 103(a) as being obvious over Boyle and Dutnall in view of U.S. Patent No. 6,700,902 to Meyer (hereinafter "Meyer"). These rejections are respectfully traversed.

The Office Action asserts Boyle discloses the subject matter recited independent claims 1 and 8 except for effecting priority treatment of an actual session between a wireless communication device and a remote computer network by allocating dedicated resources of the intermediary computer system to enable the actual session connection to mimic a circuit connection. The Office Action then asserts that Dutnall discloses a telecommunications system comprising an intermediary computer system that provides connectionless support for data transmission by allocating resources and that uses an RSVP protocol to provide priority treatment of the established call/session. The Office Action asserts that it would have been obvious to combine the disclosure of Boyle with that of Dutnall "for the purpose of implementing a means to determine the type of treatment a session should receive when [] allocating resources for a requested session, because a particular protocol has to be determined

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for effectively transmitting the data on the network in order to provide the appropriate quality of service to the clients of the network."

It is respectfully submitted that the rejection does not make out a *prima facie* case of obviousness at least because one of ordinary skill in the art would not have been motivated to combine the disclosures of the applied references as suggested by the Office.

Boyle is directed to a method of communicating with a wireless (e.g., mobile) device that utilizes both a narrowband channel and a wideband channel. A low cost narrowband channel is used to notify users of updates to their desired information, and users can fetch the updated information, when needed, using the wideband channel. The use of both a narrowband channel and wideband channel provides an efficient way for users to retrieve the desired information at low cost and without unnecessarily increasing network traffic. (Abstract and Figs. 1-4.)

Dutnall is directed to a system for carrying packetized voice and other traffic that cannot tolerate delays over a circuit-switched connection when such a connection is available.

Incoming packets from a packet data network are identified as having voice characteristics and are diverted to travel to a circuit-switched network instead of a packet network. (Abstract.) An RSVP (Reservation Protocol) indicator can be placed in a packet header so that a router will give priority treatment to such packets. (Col. 3, lines 33-37). The use of the RSVP protocol is used to recognize a voice call and reserve resources at the router. (Col. 9, lines 58-62.) The initial packet may contain information as to the whether the destination is a voice terminal or a data terminal, and in such a case, if it is determined that the destination uses voice cap abilities or traditional voice applications, the packet is speech encoded as for a normal GSM speech call. (Col. 11, lines 46-69.) The use of the RSVP protocol indicates to the packet switching network that all packets should take the same route so as to achieve similar delays through the packet

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switch network, and the system of Dutnall further inspects packets for RSVP protocols and routes such packets to a circuit-switched connection on the circuit side of a cellular network. (Col. 12, lines 38-66; Col. 13, lines 39-41.)

Considering the above-noted subject matter of the applied references, one of ordinary skill in the art would not have been motivated to combine those disclosures as suggested by the Office. The Office asserts that it would have been obvious to combine the disclosures "for the purpose of implementing a means to determine the type of treatment a session should receive when [] allocating resources for a requested session, because a particular protocol has to be determined for effectively transmitting the data on the network in order to provide the appropriate quality of service to the clients of the network." The hypothetical modification suggested by the Office is not understood. Is the Office suggesting a modification as to how Boyle identifies and treats wideband and narrowband information by coding data packets with the RSVP protocol? Such a modification, if that is what is being suggested, would seem unnecessary since, as noted above, Boyle's system already allocates resources (wideband and narrowband communication) based on content (notifications of updates versus the actual updated information itself).

In addition, the Office's statement "because a particular protocol has to be determined for effectively transmitting the data on the network in order to provide the appropriate quality of service" is not understood. It appears that the Office is suggesting that a particular protocol is to be selected based on some attribute of the data transmitted. However, that is not what Dutnall discloses. Rather, Dutnall discloses that different protocols are used for delay-intolerant data (e.g., Col. 3, lines 23-39), but does not disclose selecting from among protocols based on data

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attributes. Should the Office retain this ground of rejection, the Office is respectfully requested to explain exactly what hypothetical modification is being suggested to the system of Boyle.

For at least the above-noted reasons, withdrawal of the rejection and allowance of claims 1 and 8 are respectfully requested. The remaining claims 2-7 and 9-20 are allowable at least by virtue of dependency.

In light of the above, withdrawal of the rejections and objections of record are respectfully requested so that the present application may pass to issuance. Should there be any questions in connection with this application, the Examiner is invited to contact the undersigned at the number below.

Respectfully submitted,

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